

Remarks

This amendment is in response to the Office Action mailed on December 4, 2007. Applicant gratefully acknowledges the allowance of claims 8-11. In this paper, claims 19, 27, 30, 33, and 35 are being amended, claim 34 is being cancelled, and new claim 36-38 are being added. In view of the above amendments and following remarks, Applicant respectfully requests a Notice of Allowability indicating the allowance of claims 8-11, 19-33, and 35-38.

In the Office Action, claims 27-33 are rejected under 35 U.S.C. 102(b) for being anticipated by van Zijderveld (U.S. Pat. No. 6,085,896). Van Zijderveld discloses a conveyor assembly including a guide bend having a guide with one guide formed for guiding the modules of a modular conveyor chain. The guide has a single groove into which portions of modules of the modular conveyor chain can extend. The portions of the module extending into the groove may engage the legs 4, 5 of the groove.

Claim 27 requires a guide having an E-shaped cross section with a central projection located between legs to define two grooves and is being amended to require at least some of the modules include two projections that cooperate with the two grooves. As disclosed in Applicant's original disclosure, this arrangement provides support which is beneficial to the stability of the modules passing through the bend support including the guide.

Van Zijderveld discloses a guide having a single groove into which portions of a module extend. Nothing in van Zijderveld suggests providing a guide with an E-shaped cross section having a central projection and two grooves that cooperate with two projections extending from a module of a modular conveyor chain, as required in amended claims 27. Moreover, nothing in van Zijderveld suggests providing a side face on the central projection for engaging a module of a conveyor chain to stabilize the module as found by the present inventors. Accordingly, Applicant respectfully asserts that claim 27 are allowable over van Zijderveld.

Claims 28-33 depend from claim 27, which as discussed above, is believed allowable over van Zijderveld. Accordingly, withdrawal of the rejection of claims 27-35 under 35 U.S.C. 102(b) is respectfully requested.

In the Office Action claims 19-24, 33, and 34 are rejected under 35 U.S.C. 103(a) for being unpatentable over German Doc. No. 4338505 in view of van Zijderveld. Claims 19 and 27 both require a guide having an E-shaped cross section with a central projection located between legs to define two grooves and at least some of the modules include two projections that cooperate with the two grooves. As discussed above van Zijderveld does not satisfy this limitation. The German document discloses a guide having two grooves. Each groove, however, guides different modules. The German document does not disclose or suggest guiding a single module having two projections that cooperate with both grooves, as required in claims 19 and 27. Accordingly, Applicant respectfully asserts that claims 19 and 27, as amended, are allowable over the German document in view of van Zijderveld.

Claim 34 is being cancelled and claims 20-24 ultimately depend from one of claims 19 and 27, which as discussed above, are believed allowable over the German document in view of van Zijderveld. Accordingly, withdrawal of the rejection of claims 19-24, 33, and 34 under 35 U.S.C. 103(a) is respectfully requested.

In the Office Action, claims 25, 26, and 35 are rejected under 35 U.S.C. 103(a) for being unpatentable over the German document in view of van Zijderveld and further in view of Langhans et al. (U.S. Pat. 4,823,939). As discussed above, independent claims 19 and 27 are believed allowable over the German document in view of van Zijderveld. Langhans et al. does not satisfy the deficiencies in these two references. Claims 25, 26, and 35 depend from one of claims 19 and 27, which as discussed above, are believed allowable over the German document in view of van Zijderveld and Langhans et al. Accordingly, withdrawal of the rejection of claims 25, 26, and 35 under 35 U.S.C. 103(a) is respectfully requested.

In the Office Action, claims 19, 20, 22-32, 34, and 35 are rejected under 35 U.S.C. 103(a) for being unpatentable over Damkjaer (U.S. Pat. No. 5,127,515) in view of Wallaart (U.S. Pat. No. 4,643,298). Damkjaer discloses a guide bend segment defining a single lengthwise slot or recess 3 between sliding surfaces 2 for receiving downward protruding parts 5 of a chain link 4. See Fig. 1 and col. 4, lines 14-17 of Damkjaer. A longitudinally extending profile slide 6, or hook, is placed between the sliding surfaces 2. See col. 4, lines 28-29 of Damkjaer. The profile slide 6 engages only one of the

downward protruding parts 5 at one of the sides of the chain link 4. See col. 4, lines 32-34 of Damkjaer. Accordingly, only one slide surface, or face, is provided on one of the protruding parts 5 which engages the profile slide 6.

Wallaart also discloses a bend segment having a single lengthwise slot. Parts of a chain link extend downwardly into the slot. Wallaart, however, does not disclose nor suggest sliding surfaces on any portion of the downwardly extending parts.

Claims 19 and 27 are being amended to include the limitation of sliding faces on both projections of the module with the sliding faces facing each other. As discussed above, Wallaart does not disclose nor suggest sliding faces on projections extending into a slot or groove. The profile slide disclosed in Damkjaer requires a single slide face on a single projection of the module. Moreover, Damkjaer does not disclose nor suggest sliding faces on both projections with the sliding faces facing each other, as required in amended claims 19 and 27. Accordingly, Applicant respectfully asserts that claims 19 and 27 are allowable over Damkjaer in view of Wallaart.

Claim 34 is being cancelled and claims 20, 22-26, 28-32, and 35 ultimately depend from one of claims 19 and 27, which as discussed above, are believed allowable over Damkjaer in view of Wallaart. Accordingly, withdrawal of the rejection of claims 19, 20, 22-32, 34, and 35 under 35 U.S.C. 103(a) is respectfully requested.

In the Office Action, claims 21 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Damkjaer in view of Wallaart as applied to claims 1, 2, 4-7, 12, 13, and 15-17, and further in view of van Zijderveld. Claims 21 and 33 ultimately depend from one of claims 19 and 27, which as discussed above, are believed allowable over Damkjaer in view of Wallaart. As further discussed above, van Zijderveld does not satisfy the deficiencies in Damkjaer and Wallaart. Accordingly, withdrawal of the rejection of claims 21 and 33 under 35 U.S.C. 103(a) is respectfully requested.

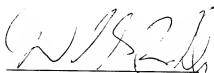
New claims 36-38 are being added. New claim 36 depends from claim 27 and recites limitations that were deleted from amended claim 27. New claims 37 and 38 depend from independent claims 19 and 27, respectively, and include the additional limitation of "the sliding faces located at sides facing each other of the projections together with a sliding face located between the projections at the underside of the at least some of the modules, form a longitudinal guide with substantially U-shaped cross-

section." This limitation can be found in allowed claim 8. Accordingly, Applicant respectfully asserts that new claims 36-38 are allowable over the cited references and do not introduce new matter.

Finally, claims 30, 33, and 35 are being amended to correct the dependencies in view of the amendment to claim 27, cancellation of claim 34, and addition of claim 36.

In view of the above remarks and amendments to the claims, Applicant respectfully requests issuance of a Notice of Allowance indicating the allowance of claims 8-11, 19-33, and 35-38. No additional fees for filing this response are believed to be due, with the exception of a fee for two additional claims for which the Commissioner is hereby authorized to charge deposit account no. 17-0055. However, if additional fees are due, including any fees for an extension of time to respond, the Commissioner is hereby authorized to charge them to deposit account no. 17-0055.

Respectfully submitted,



Daniel G. Radler  
Reg. No. 43,028  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202  
Tel. No. (414) 277-5749